

TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 4, 2004

IN RE:

**PETITION OF HAROLD B. CALFEE
FOR A TRANSFER OF AUTHORITY**

)
)
)
)

**DOCKET NO.
04-00012**

**ORDER APPROVING TRANSFER OF AUTHORITY
AND NAME CHANGE**

This matter came before Director Pat Miller, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "TRA" or "Authority"), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on February 9, 2004, upon the request of Harold B. Calfee for approval of a transfer of authority.

Harold B. Calfee received authority to provide COCOT services within the State of Tennessee by an order issued August 6, 2003 in TRA Docket No. 03-00429. On January 5, 2004, the Authority received a request from Harold B. Calfee to change the name of his COCOT business from Harold B. Calfee to Bobby H. Calfee d/b/a B & H Interprises.¹ Harold Calfee indicated that this name change results from the transfer of his half of the COCOT business to his son Bobby Calfee, the other fifty-percent owner of the business. Based upon this information, TRA Staff included for consideration by the Directors a transfer of authority since Bobby Calfee will become the sole owner of the certificated business.

¹ Harold B. Calfee later informed the Authority on January 12, 2004 that he has been doing business under the name of B & H Interprises despite not having petitioned the Authority for approval of the name change. The business license issued by Jefferson County, Tennessee, a copy of which was provided to the TRA by Harold B. Calfee shows the business name as B & H Enterprises

Tenn. Code Ann. § 65-4-113

Tenn. Code Ann. § 65-4-113 requires a public utility to obtain TRA approval to transfer its authority to provide utility services (also known as a “certificate of public convenience and necessity” or “CCN”). Tenn. Code Ann. § 65-4-113(a) reads as follows:

No public utility, as defined in § 65-4-101, shall transfer all or any part of its authority to provide utility services, derived from its certificate of public convenience and necessity issued by the authority, to any individual, partnership, corporation or other entity without first obtaining the approval of the authority.

Tenn. Code Ann. § 65-4-113(b) provides the standards by which the TRA shall consider an application for transfer of authority, in pertinent part, as follows:

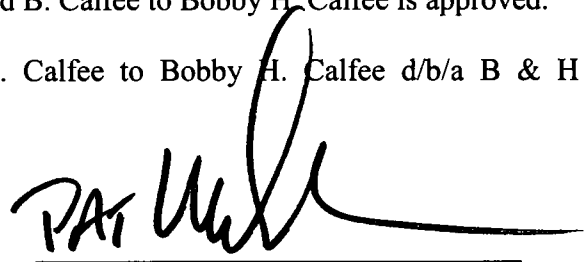
Upon petition for approval of the transfer of authority to provide utility services, the authority shall take into consideration all relevant factors, including, but not limited to, the suitability, the financial responsibility, and capability of the proposed transferee to perform efficiently the utility services to be transferred and the benefit to the consuming public to be gained from the transfer. . .

February 9, 2004 Authority Conference

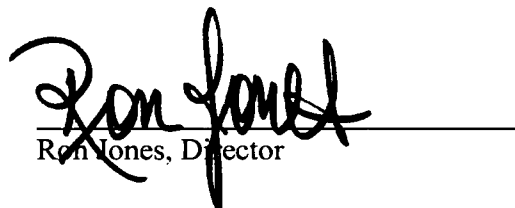
At the February 9, 2004 Authority Conference, the Directors voted unanimously to approve the transfer of authority and the related name change.

IT IS THEREFORE ORDERED THAT:

1. The transfer of authority from Harold B. Calfee to Bobby H. Calfee is approved.
2. The name change from Harold B. Calfee to Bobby H. Calfee d/b/a B & H Interprises is approved.


Pat Miller, Director


Sara Kyle, Director


Ron Jones, Director